Notarial Translation

THE GOVERNMENT OF THE REPUBLIC OF THE UNION OF MYANMAR

[Emblem of the Union] The Ministry of Health

Notification No. 453/2021

The 7th Waxing Day of Thadingyut 1383 M.E.

(12th October, 2021)

In exercise of the power conferred by subsections (e) and (h) of section 8, and sub-section (b) of section 19 of the Control of Smoking and Consumption of Tobacco Product Law, the Ministry of Health hereby issues this Order.

Chapter I

Title, Effectiveness and Definitions

1. (a) This Order shall be called the "Order relating to Standardized Packaging and Printing of Graphic Health Warnings on Cigar and Tobacco Products."

(b) This Order shall come into force from the date of completion of 180 days from its issuance.

2. The expressions contained in this Order shall have the same meanings as are assigned to them in the Control of Smoking and Consumption of Tobacco Product Law, and in addition, the following expressions shall have the meanings given below:

(a) Small cigar package means the cigar package putting and packaging of cigar and tobacco products according to their quantity, weight, and volume or size measurement as a first stage;

(b) Large cigar package means a cartoon, box, bundle, pack, packet or unit of small cigar packages, etc into which small cigar packages are collected, inserted and repacked;

(c) Cigarette packet means a small cigar package collected, inserted and packed of 20 cigarettes;

(d) Cigarette carton means a large cigar package collected, inserted and packed of 10 cigarette packets;

(e) Cigar rolling material means a small paper rolling material or any kind of similar rolling materials made with thanapha leaves, corn leaves, sugar cane leaves and a piece of daily newspaper or similar materials, rolled at the side of root or filter-tip of the cheroot, cigar (Say Fyinlate) and any other tobacco products;
(f) **Inner collar of cigarette packet** means the part which is the component of outer surface of packed cigarette, and it can’t be seen when it is unopened.

(g) **Cigar package of retail sale** means small cigar package or large cigar package which is packaged for the purpose of selling directly to the consumer.

(h) **Depiction of trademark** means any description or depiction by attaching and hanging, or putting and adding with other materials of trademark, prescribed graphic health warnings, warning signs and advertisement of products message on cigar and tobacco products, or on cigar package for retail sale in order to recognize different kinds of brands of cigar and tobacco products. In this expression, putting and adding the other products and materials in order to advertise and promote the sale are also covered.

(i) **Packaging material** means any material which is comprised and packed, or covered, or wrapped, or any other material used; or a container, package, small pouch, or box made up of tin, or any other kind of material; and any material which may be made on or inside it the depiction of trademark including the graphic health warnings for retail sale.

### Chapter II

**Application**

3. This Order shall apply to importation, domestically manufacturing and processing, transportation and selling the cigars including cigarette, cheroot and cigar (Say Pyinlale) and various kind of cigar, and the tobacco products such as compounded tobacco (Say Paung), pickled tobacco (Hnut Say), chewing tobacco (Kwan Sasay), etc. Provided that, this Order shall not apply to the cigars and tobacco products manufactured for export, and to the cigars and tobacco products which are not more than the limited quantity and amount, exempted the customs duty and allowed to bring inside the country together with visitor.

### Chapter III

**Standardized Packaging of Cigar and Tobacco Products, and Graphic Health Warnings to be depicted on Packaging Materials**

4. Cigar packages for retail sale within the Union shall be packaged in accordance with the following standardized criteria:

   (a) the colour of outer surface of the cigar package shall be **light brown** (matt-Pantone 448 C);

   (b) surface shall not be molded, embroidered, designed, or permeable matt designed, and it shall be normal surface without any make up;

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(c) if it is desired to repackaging the packaging material with another layer, such material shall be covered with transparent plastic or no colour only. No material shall be printed and depicted on such covered material;

(d) every inner surface of any packaging material shall be white;

(e) any artificial scent or fragrance shall not be added other than the natural scent of tobacco products, or not be packed by created scent in tobacco products;

(f) front and back surfaces, top and bottom surfaces, and surfaces of lateral sides of cigar packages shall be packed as prescribed by the Department of Public Health.

5. If cigar packages for retail sale within the Union are rectangular shape, it shall be obtained the approval from the Department of Public Health, and the graphic health warnings contained in the Annex of this Order shall be simply printed and depicted in accordance with the following standardization:

(a) it shall be depicted in Myanmar word, Pyidaungsu font;

(b) upper part of front and back surfaces of the cigar package shall not be less than 75%, and 50% for graphic health warnings and 25% for warning texts shall be printed and depicted;

(c) colour of the warning text to be depicted together with the graphic health warnings shall be white (blue (C) = 0%, red (M) = 0%, yellow (Y) = 0%, and black (K) = 0%), and the background Colour shall be black (blue (C) = 50%, red (M) = 50%, yellow (Y) = 50%, and black (K) = 100%), and the size of warning text shall be printed and depicted as prescribed by the Department of Public Health;

(d) warning text of “Smoking is dangerous to your health” and “Quit Smoking” shall be printed on the top surface of the Cigar package; “Nicotine, Tar and Carbon Monoxide contained in Cigars can cause heart and lungs diseases” and “Quit Smoking” shall be printed on the right lateral surface; “Cigar contains cancer-causing substances like Nitrosamine, Benzopyrene” and “Quit Smoking” shall be printed on the left lateral surface of the Cigar package; the background shall be yellow Colour (blue (C) = 0%, red (M) = 0%, yellow (Y) = 100%, and Black (K) = 0%), and shall be printed in black Colour (blue (C) = 50%, Red (M) = 50%, Yellow (Y) = 50% and Black (K) = 100%), with the font size of at least 4 mm height (Pyidaungsu font size 9.5) for the small cigar package, and at least 6 mm height (Pyidaungsu font size 13) for the large cigar package.

(e) warning text of “Not for sale to anyone under the age of 18” shall be printed in white color (blue (C) = 0%, red (M) = 0%, yellow (Y) = 0%, and Black (K) = 0%), on the uppermost of the left lateral surface; the background shall be black colour (blue (C) = 50%, red (M) = 50%, yellow (Y) = 50%, and black (K) = 100%). Printing shall be on the diagonal side of cigar package with the font size of at least 3 mm in height (Pyidaungsu font size 7) for the small cigar package, and at least 6 mm in height (Pyidaungsu font size 13) for the large cigar package;
trademark name, brand and variant names of cigar and tobacco products shall be printed and depicted either in Myanmar or English languages, on remaining space of lower part of front and back surfaces of the cigar packages as per follows:

1. it shall be printed in pale grey (Pantone Cool Grey 2C) on the background of light brown (Pantone 448 C)

2. font type shall be Pyidaungsu font and font sizes shall be identical, and shall not be more than 4 mm in height (Pyidaungsu font size 9.5) for the small cigar package, and shall not be more than 8 mm in height (Pyidaungsu font size 17.5) for the large cigar package. Thickness of letter shall be normal.

If the name of manufacturer, the country of manufacture and the manufactured date are to be depicted on the bottom 25% of the left lateral surface of the cigar package, texts shall be printed as per follows:

1. it shall be printed in pale grey (Pantone Cool Grey 2C) on the background of light brown (Pantone 448 C);

2. font type shall be in Pyidaungsu font and font sizes shall be identical, and shall not be more than 2 mm in height (Pyidaungsu font size 5) for the small cigar package, and shall not be more than 4 mm in height (Pyidaungsu font size 9.5) for the large cigar package. Thickness of letter shall be normal.

If bar code is to be printed, it shall be printed only on the bottom surface of the cigar package, and colour shall be black and white, and it shall be in rectangular shape. Any other variant in shape and dimension is prohibited;

When the facts related to quantity and weight are to be printed, it shall be depicted at the bottom surface only and printed as follows:

1. it shall be printed in pale grey (Pantone Cool Grey 2 C) on the background of light brown (Pantone 448C).

2. font type shall be Pyidaungsu font, and font sizes shall be identical and shall not be more than 2 mm in height (Pyidaungsu font size 5). Thickness of letter shall be normal.

3. quantity and weight shall be depicted in numeric only.

When the graphic health warnings are printed for the large cigar package, various templates of graphic health warnings attached in Annex shall be completely depicted based on the size of the large cigar package accordingly;

Depiction of any text, design, image, colour, trademark, symbol, shape; or creating the additional sound feature, and any similar acts for the purpose of advertisement and sale promotion shall not be directly or in-directly made on the cigar package;

Any extra sheet, card or any other kind of similar material depicted trademark, logo, graphic design, symbol and texts shall not be included or put inside of the cigar package, or not be attached on the outer surface of the cigar package;
(m) other than the description of price and product information, any other electronic symbols including QR code shall not be depicted.

6. If the cigar packages for retail sale within the Union are not rectangular in shape, graphic health warnings on the cigar package shall be printed and depicted in accordance with the following standardized packaging criteria set out in the Annex of this Order, with the approval of the Department of Public Health:

(a) if the shape of cigar package is cylinder (circular pack, bottle, bundle, etc.), all necessary facts to be printed and depicted on the front and back surfaces and two lateral surfaces of those cigar packages in accordance with the provisions contained in subclauses (a), (b), (c), (d), (e), (f) and (g) of clause 5, shall be depicted on the whole outer surface of the cylinder-shaped cigar package. Stipulation to be depicted on the top surface contained in subclause (d) of clause 5 shall be printed and depicted on the top surface of the cylinder-shaped cigar package, and if the barcode, quantity and weight are depicted on the bottom surface, it shall be depicted as provisions contained in subclauses (h) and (i) of clause 5;

(b) if the cigar package has two surfaces, all facts to be depicted on the top surface, front surface and right lateral surfaces of those cigar packages in accordance with the provisions contained in subclauses (a), (b), (c), (d), (e) and (f) of clause 5, shall be depicted on the front surface; and all facts to be depicted on the back surface, at the bottom and left lateral surfaces of those cigar packages in accordance with the provisions contained in subclauses (a), (b), (c), (d), (e), (f), (g), (h) and (i) of clause 5, shall be depicted on the back surface of the cylinder-shaped cigar package;

(c) font size of the graphic health warnings shall be clearly printed and depicted in accordance with the provisions contained in subclause (d) of clause 5 by complying with the conditions as prescribed by the Department of Public Health;

(d) trademark name, brand and variant names of the products shall be printed proportionately as based on the size of the pack as prescribed in subclause (f) of clause 5, and shall be depicted as the defined colour;

(e) any other provisions shall be complied with the provisions contained in subclauses (j), (k), (l) and (m) of clause 5, and if the form of packaging of the cigar package is different from the packaging form as set out in this Order, it shall be printed and depicted by obtaining the approval of the Department of Public Health.

7. The design of the individual cigarette stick shall be in line with the following criteria:

(a) the colour of the filter-tip of the cigarette, the cover of the filter and rolling paper of cigarette and other parts of the cigarette shall be made uniformly white with a matt finish. However, the cover of the filter of cigarette may be used in white or cork colour;
(b) if the name of cigarette, alphabet, numeral and an alphanumeric code are to be described, it shall be complied with the following criteria:

1. texts shall be depictd within 38 mm only from the end point of the filter;

2. if it is depictd in Myanmar language, it shall be depictd in an alphabet and numeral only;

3. if it is depictd in English language, the first character of the text only shall be depictd in uppercase, and alphabet, numeral and “&” only shall be depictd;

4. font type of letter shall be Pyidaungsu font;

5. colour of text shall be grey and light brown with a matt finish;

6. font sizes of letter shall not be more than 2 mm in height (Pyidaungsu font size 5). Thickness of letter shall be normal.

(c) no other description of text or image, etc. shall be depictd, except the name of the cigarette, alphabet, numeral and an alphanumeric code.

8. In printing and depicting the cigarette packet in accordance with the standardized criteria set out in clause 5, the following criteria shall be used for printing and depicting:

(a) whenever the lid cover of the cigarette packet is opened or closed, the graphic health warnings altogether designated to be printed on the front surface, and graphic health warnings on the left lateral surface, and graphic health warnings except for the space allotted for revenue stamp on the right lateral surface shall not be torn apart or detached from the cigarette packet. The lid cover of the cigarette packet shall be fitted in the defined space, and shall not exceed or less than upper 25% of the cigarette packet.
(b) In printing of graphic health warnings to be printed and depicted at the top, bottom, right and left lateral surface as prescribed in clause 5, it shall be complied with the followings:

Top Surface

[To stick revenue stamp 15 mm]
(c) the lining of a cigarette packet shall be thin aluminum silver coloured foil on the white coloured paper. And the rest part of Silver coloured foils or the part to be removed shall not be printed, depicted, designated, coloured and reflected any
text, symbol, mark etc.;

(d) the colour of the inner collar of cigarette packet shall be matt finish pantone 448
C. There shall not be printed, designed, reflected and created to be dented or
concave and embossed trademark, logo, coloured, designs, marks and texts on
the inner collar.
(e) if there is tear tape to remove the plastic which is covered an individual cigarette packet, such tear tape shall entirely be either black or transparent, or not be coloured, and width of tear tape shall not be wider than 3 mm. No text and label shall be depicted on the tape.

9. In printing and depicting the cigarette carton, it shall be complied with the provisions contained in clause 5, and shall be obtained the approval of Department of Public Health, and shall be printed and depicted in accordance with the following standards:

(a) the font size of graphic health warnings shall be clearly printed and depicted in accordance with the standards for large cigar package contained in subclauses (d) and (e) of clause 5;

(b) the graphic health warning to be depicted on the front and back surface of cigarette carton shall be printed and depicted as prescribed in subclauses (c) and (j) of clause 5;

(c) the trademark name, brand and variant name shall be printed and depicted in accordance with the standards for large cigar package as prescribed in subclause (f) of clause 5.

(d) the name of manufacturer, the country of manufacture and the manufactured date shall be printed and depicted in accordance with the standards for large cigar package as prescribed in subclause (g) of clause 5.

10. In printing and packaging the cheroots, cigars (Say Pyinlute) and similar cigars, it shall be complied with the standards as prescribed in clauses 5 and 6 based on the form of packing, and shall be obtained the approval of Department of Public Health, and shall be printed in accordance with the following standards:

(a) rolling material of cheroot, cigar (Say Pyinlute) and similar cigars shall not be more than 1 cm. If it is desired to depict the name of trademark, brand and variant name, it shall be printed as follows:

(1) it shall be printed in pale grey (Pantone Cool Grey 2 C) on a matt opaque background (Pantone 448 C);

(2) the font type shall be Pyidaungsu font, the font size shall not more than 4 mm (Pyidaungsu font 9.5), and brand logo shall not be included;

(3) if it is depicted in English language, the first character of the text only shall be depicted on uppercase and thickness of letter shall be normal. No text and image shall not be depicted except name, alphabet, numeral and an alphanumeric code.

(b) if it is desired the material used for wrapping of each individual cheroot, cigar (Say Pyinlute) and similar cigar product, it shall be covered and packed with transparent plastic and without colour. No text and mark shall not be printed on such covering plastic;
the size of graphic health warnings shall be clearly printed and depicted as bigger or smaller texts and images based on the size in the same ratio as prescribed in subclause (c) of clause 5;

(d) the trademark name, brand and variant name shall be printed and depicted in accordance with the standards for small cigar package and large cigar package as prescribed in subclause (f) of clause 5, and the size shall be the same;

(e) the name of manufacturer, the country of manufacture and the manufactured date, shall be printed and depicted in accordance with the standards for small cigar package and large cigar package as prescribed in subclause (g) of clause 5, and the size shall be the same.

11. In packaging the tobacco products such as compounded tobacco (Say Paung), pickled tobacco (Hnut Say), and chewing tobacco (Kwan Sarsay), etc. as cigar package for retail sales, graphic health warnings shall be complied with the standardized criteria as prescribed in remaining clauses of clause 5, except subclause (d) of clause 5, and clause 6, and and shall be printed in accordance with the following standards with the approval of Department of Public Health:

(a) font size of graphic health warnings shall be clearly printed and depicted as bigger or smaller texts and images based on the size in the same ratio as prescribed in subclause (c) of clause 5;

(b) graphic health warnings "Use of tobacco and tobacco products causes serious harm to your health" on the top surface; and "tobacco products contain high concentration of nicotine and cause to obsess seriously", and "Don’t chew it" on the right lateral surface; and "Cancer causing compounds like nitrosamine, benzopyrene, etc. contain in tobacco products", and "Quit chewing" on the left lateral surface shall be printed and depicted respectively as prescribed in subclause (d) of clause 5;

(c) the trademark name, brand and variant name shall be printed and depicted in accordance with the standards for small cigar package and large cigar package prescribed in subclause (f) of clause 5, and the size shall be the same.

(d) the name of manufacturer, the country of manufacture and the manufactured date shall be printed and depicted in accordance with the standards for small cigar package and large cigar package as prescribed in subclause (g) of clause 5, and the size shall be the same.

12. In respect of printing the cigar packages in retail sale within the Union in accordance with the standardized criteria as prescribed in clauses 4 to 11:

(a) each and every graphic health warnings mentioned in the Annex shall be used and depicted concurrently equal quantity on small cigar package;
(b) the graphic health warnings mentioned in the Annex shall be printed and depicted once in every three years as alternately prescribed by the Department of Public Health of the Ministry of Health;

(c) Whoever imports, manufactures, distributes and sells the cigar and tobacco products shall print and depict the graphic health warnings prescribed by the Department of Public Health of the Ministry of Health;

(d) if there are variant names, the graphic health warnings shall be separately printed and depicted according to each variance.

Chapter IV
Prohibitions

13. The importers, manufacturers, distributees and sellers of cigar and tobacco products shall not:

(a) destroy or cover the graphic health warnings printed on the cigar package;

(b) in sticking the revenue stamp, cover the graphic health warnings. The revenue stamp shall not be stuck on other areas except on 15 mm at the edge of corner on the top panel, and 30 mm at the uppermost of the right lateral surface, the specific area for it;

(c) print and depict at all the texts or other things on the cigar package, which are likely to be directly or indirectly enhanced the promotion and advertising the sale of cigar and tobacco products as prescribed in subclauses (k) and (l) of clause 5.

Top surface

[Space of 15 mm for revenue stamp]
(d) print and depict texts, images or symbols on the cigar package, which are likely not to cause serious harm to health (for example – “Low tar”, “Light”, “Ultra-light”, “Mild”, “Cool”, “Special”, “Full flavor”, “Premium”, “Rich”, “Famous”, “Slim”, “Safe”, etc.), or which are similar ambiguous meaning, or which is similarly depicted the brand and variant names of cigar and tobacco products;

(e) print texts, marks, numeral code and other symbols on the cigar package mentioning the ingredient and amount which are likely to be interpreted an erroneous impression “Safe for consumers, It benefits”;

(f) print the expiry date.

Chapter V

Taken Action against Offences

14. (a) Whoever imports, manufactures, distributes or sells the cigar packages without packaging and printing as prescribed standardizations contained in this Order, shall be punished under subsection (a) of section 13 of the Control of Smoking and Consumption of Tobacco Product Law.

(b) Any person may make a complaint to the respective Police Station to take action under subclause (a).
Chapter VI
Miscellaneous

15. Cigar and tobacco products currently being sold in the market which are not in line with this Order shall have the right to continuously sell up to 90 days only from the date of effectiveness of this Order.

16. Where there is any problem occurs regarding in implementation of the Order, and in respect of compliance with this Order, and in making decision whether printing and depicting are complied with the standardizations contained in this Order, the decision of the committee formed by the Central Board shall be final and conclusive.

17. The Order issued by the Ministry of Health’s Notification No. 11/ 2016 dated on 29th February 2016 is hereby prevailed from the date of effectiveness of this Order come into force.

Sd./xxx

Dr Thet Khine Win

The Union Minister

Letter No. 12 Ma Kha (La) 2021/2745

Date: 12th October, 2021.

Circulation:

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- Chairman, Myanmar Private Hospitals’ Association.
- Chairman, People’s Health Foundation.
- Director General, Printing and Publishing Department.

To be notified in Part 1 of Myanmar Gazette.
- All Departments under the Ministry of Health.

- All Heads of Department of Public Health/Department of Medical Care of Union Territory, Nay Pyi Taw/Region/State.
Graphic Health Warnings to be printed and Depicted on all Packaging of Cigarette, Cheroot, Cigar (Say Pyinlale) and Similar Cigars

Graphic Health Warning - 1
- Smoking or inhaling of second hand smoke can cause lung cancer.

Graphic Health Warning - 2
- Smoking or inhaling of second hand smoke during pregnancy can cause preterm baby and low birth weight baby.
Graphic Health Warning - 3

- Smoking can cause oral cancer.

Graphic Health Warning - 4

- Smoking can cause Buerger’s disease and lead to amputation
- Second hand smoke can increase the risk of asthma and pneumonia in children.
Graphic Health Warnings printed and depicted on all Packaging of on the Tobacco Products such as Compounded tobacco (Say Paung), Pickled Tobacco (Hnut Say), Chewing Tobacco (Kwan Sarsay), etc.

Graphic Health Warning - 1

- Betal Quid chewing with tobacco products can cause oral cancer.

Graphic Health Warning - 2

- Betal Quid chewing with tobacco products during pregnancy can cause preterm baby and low birth weight baby
Graphic Health Warning - 3

- Betal Quid chewing with tobacco products can cause tongue cancer.

Graphic Health Warning - 4

- Betal Quid chewing with tobacco products can cause oral cancer.
- Betal Quid chewing with tobacco products can cause throat cancer.